

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

HILARY LONGSTREET, individually and on behalf of similarly situated individuals,

Plaintiff,

Y.

CIVIL ACTION NO.

GEORGE CRAMER, JR., JOE TILLOTSON,
PLANO AMIGOS LP d/b/a Banditos Tex-
Mex Cantina, PLANO AMIGOS GP LLC, UP
PLAZA AMIGOS LLC d/b/a Banditos Tex-
Mex Cantina, KATY TRAIL ICE HOUSE GP
LLC, and KATY TRAIL ICE HOUSE LP,

Defendants.

NOTICE OF REMOVAL

Defendants George Cramer, Jr., Joe Tillotson, Plano Amigos, LP d/b/a Banditos Tex-Mex Cantina, Plano Amigos GP, LLC, Up Plaza Amigos, LLC d/b/a Banditos Tex-Mex Cantina, Katy Trail Ice House GP, LLC, and Katy Trail Ice House, LP (collectively “Defendants”), pursuant to 28 U.S.C. §§ 1441 and 1446, hereby provide Notice of Removal of a civil action from the 134th District Court of Dallas County, Texas to the United States District Court for the Northern District of Texas. Removal is based on 28 U.S.C. §§ 1441(b) and 1446, and the grounds in support of this Notice of Removal are as follows:

STATEMENT OF JURISDICTION

1. This Court has original jurisdiction over this action under the Fair Labor Standards Act (“FLSA”). In relevant part, the FLSA provides, “an action to recover . . . may be maintained . . . in any Federal or State court of competent jurisdiction.” 29 U.S.C. §216(b). As

set forth below, this case meets all of the requirements of the FLSA for removal and is timely and properly removed by the filing of this Notice.

PROCEEDINGS IN STATE COURT

2. On March 5, 2013, Plaintiff Hilary Longstreet filed an Original Petition and Request for Disclosure against defendants for alleged failure to “properly pay overtime” under the FLSA, 29 U.S.C. § 201 et seq. Pl.’s Orig. Pet. ¶ 1, a copy of which is attached hereto as App. 001-009.

3. Plaintiff’s Original Petition asserts a cause of action against Defendants under the FLSA for alleged failure to properly pay non-management employees overtime wages. (See App. 005-007, ¶¶10-27.)

4. Plaintiff’s counsel served Defendants with a copy of the Original Petition by process server on March 21, 2013. A copy of the Proof of Service for each defendant is attached hereto as App. 028-048.

5. This notice of removal is timely because it is being filed within thirty (30) days after Defendants’ receipt of the Plaintiff’s Original Petition. 28 U.S.C. § 1446(b); *Murphy Bros. v. Michetti Pipe Stringing*, 526 U.S. 344, 119 S. Ct. 1322 (1999).

JURISDICTION UNDER FLSA

6. This is a civil action over which the Court has original jurisdiction under FLSA § 201, et seq. and one that may be removed to this Court by Defendants pursuant to 28 U.S.C. §§ 1441(b), 1446 and *Breuer v. Jim’s Concrete of Brevard, Inc.* (2003) 538 U.S. 691.

NOTICE TO PLAINTIFF’S COUNSEL AND STATE COURT

7. Contemporaneously with the filing of this Notice of Removal in the United States District Court for the Northern District of Texas, written notice of such filing will be served on

Plaintiff's counsel of record, Robert J. Wiley and Justin Manchester. In addition, a copy of the Notice of Removal will be filed with the Clerk of Court for the 134th District Court of Dallas County, Texas.

PLEADINGS ATTACHED

8. Pursuant to 28 U.S.C. § 1446(a) and Local Rule 81.1 of the Northern District of Texas, Defendants have attached to this Notice of Removal an appendix containing: (1) an index of all documents that clearly identifies each document and indicates the date the document was filed in state court; (2) a copy of the docket sheet in the state court action; (3) a copy of each document filed in the state court action, except discovery material; and (4) a separately signed certificate of interested persons that complies with Local Rule 3.1(e) or 3.2(e).

WHEREFORE, pursuant to 28 U.S.C. § 1331, this Court has original jurisdiction over the civil action originated by Plaintiff's Petition in State Court, and Defendants remove the action as a matter of right under 28 U.S.C. § 1441.

Dated: April 12, 2013

Respectfully submitted,

/s/ Alan Dabdoub

Jeffrey M. Tillotson, PC

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LYNN TILLOTSON PINKER & COX, LLP

2100 Ross Avenue, Suite 2700

Dallas, Texas 75201

(214) 981-3800 - telephone

(214) 981-3839 - telecopier

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of this *Notice to the Clerk of Filing Notice of Removal* was duly served upon Robert J. Wiley, Esq. and Justin G. Manchester, ROB WILEY, P.C., 1825 Market Center Blvd., Suite 385, Dallas, Texas 75207 via certified United States Mail, return receipt requested, this 12th day of April, 2013.

/s/ Alan Dabdoub
ALAN DABDOUB

4826-3362-4339, v. 2

CIVIL COVER SHEET

JS 44 (Rev. 09/11)

The JS 44 civil coversheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Hilary Longstreet, individually and on behalf of similarly situated individuals

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Robert J. Wiley and Justin Manchester, Rob Wiley, PC -
1825 Market Center Blvd., Suite 385, Dallas, TX 75207
214.628.6500 - Telephone; 214.628.6511 - Facsimile

DEFENDANTS

George Cramer, Jr., Joe Tillotson, Plano Amigos LP d/b/a Banditos
Tex-Mex Cantina, Plano Amigos GP, LLC, UP Plaza Amigos LLC
d/b/a Banditos Tex-Mex Cantina, Katy Trail Ice House GP LLC
County of Residence of First Listed Defendant Dallas

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
Jeffrey M. Tillotson and Alan Dabdoub - Lynn Tillotson Pinker & Cox,
LLP - 2100 Ross Avenue, Suite 2700, Dallas, Texas 75201
214.981-3800 - Telephone; 214-981-3839 - Facsimile

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	FORFEITURE/PENALTY <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	OTHER STATUTES <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Conditions <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
☒ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
29 USC § 201 et. seq.

Brief description of cause:
FSLA

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) PENDING OR CLOSED:

(See Instructions):

JUDGE

DOCKET NUMBER

DATE

04/12/2013

SIGNATURE OF ATTORNEY OF RECORD

/s/ Alan Dabdoub

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

**SUPPLEMENTAL CIVIL COVER SHEET FOR CASES
REMOVED FROM STATE COURT**

This form must be attached to the Civil Cover Sheet at the time the case is filed in the U.S. District Clerk's Office. Additional sheets may be used as necessary.

1. STATE COURT INFORMATION:

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

<u>COURT</u>	<u>CASE NUMBER</u>
134 th Judicial District Court Dallas County, Texas	DC-13-02636

2. STYLE OF THE CASE:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code.)

<u>PARTY(S)</u>	<u>PARTY TYPE</u>	<u>ATTORNEY(S)</u>
HILARY LONGSTREET	Plaintiff	Robert J. Wiley Texas State Bar No. 24013750 Justin G. Manchester Texas State Bar No. 24070207 Rob Wiley, P.C. 1825 Market Center Blvd., Suite 385 Dallas, Texas 75207 214.528.6500 – Telephone 214.528.6511 – Facsimile

SUPPLEMENTAL CIVIL COVER SHEET
Page 2

<u>PARTY(S)</u>	<u>PARTY TYPE</u>	<u>ATTORNEY(S)</u>
GEORGE CRAMER, JR. JOE TILLOTSON PLANO AMIGOS LP d/b/a Banditos Tex-Mex Cantina PLANO AMIGOS GP LLC UP PLAZA AMIGOS LLC d/b/a Banditos Tex-Mex Cantina KATY TRAIL ICE HOUSE GP LLC KATY TRAIL ICE HOUSE LP	Defendants	Jeffrey M. Tillotson, PC Texas State Bar No. 20039200 jtillotson@lynnllp.com Alan Dabdoub Texas State Bar No. 24056836 Email: adabdoub@lynnllp.com LaKeisha M. Forté Texas State Bar No. 24042237 Email: lforte@lynnllp.com LYNN TILLOTSON PINKER & COX, LLP 2100 Ross Avenue, Suite 2700 Dallas, Texas 75201 (214) 981-3800 - telephone (214) 981-3839 - telecopier

3. JURY DEMAND:

Was a Jury Demand made in State Court? ☒ Yes ☐ No

If "Yes," by which party and on what date?

Plaintiff
Party

March 5, 2013
Date

4. ANSWER:

Was an Answer made in State Court? ☐ Yes ☒ No

If "Yes," by which party and on what date?

Party

Date _____

5. **UNSERVED PARTIES:**

The following parties have not been served at the time this case was removed:

<u>Party</u>	<u>Reason(s) for No Service</u>

SUPPLEMENTAL CIVIL COVER SHEET
Page 3

6. NONSUITED, DISMISSED OR TERMINATED PARTIES:

Please indicate any changes from the style on the State Court papers and the reason for that change:

<u>PARTY</u>	<u>REASON</u>

7. CLAIMS OF THE PARTIES:

The filing party submits the following summary of the remaining claims of each party in this litigation:

<u>PARTY</u>	<u>CLAIM(S)</u>
Hilary Longstreet	Alleged failure to properly pay overtime.

4846-7959-3235, v. 1

<u>DATE</u>	<u>DOCUMENT</u>	<u>PAGE</u>
03/06/2013	Citation – UP Plaza Amigos LLC d/b/a Banditos Tex Mex Cantina	App. 022-023
03/06/2013	Citation – Katy Trail Ice House GP LLC	App. 024-025
03/06/2013	Citation – Katy Trail Ice House LP	App. 026-027
03/25/2013	Return of Service – George Cramer Jr	App. 028-030
03/25/2013	Return of Service – Joe Tillotson	App. 031-033
03/25/2013	Return of Service – Plano Amigos LP d/b/a Banditos Tex Mex Cantina	App. 034-036
03/25/2013	Return of Service – Plano Amigos GP LLC	App. 037-039
03/25/2013	Return of Service – UP Plaza Amigos LLC d/b/a Banditos Tex Mex Cantina	App. 040-042
03/25/2013	Return of Service – Katy Trail Ice House GP LLC	App. 043-045
03/25/2013	Return of Service – Katy Trail Ice House LP	App. 046-048
04/12/2013	Docket Sheet	App. 049-051

Dated: April 12, 2013

Respectfully submitted,

/s/ Alan Dabdoub

Jeffrey M. Tillotson, PC

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Dallas, Texas 75201

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of this *Appendix To Defendants' Notice Of Removal* was duly served upon Robert J. Wiley, Esq. and Justin G. Manchester, ROB WILEY, P.C., 1825 Market Center Blvd., Suite 385, Dallas, Texas 75207 via Certified Mail, Return Receipt Requested, this 12th day of April, 2013.

/s/ Alan Dabdoub

ALAN DABDOUB

CAUSE NO. 13-02634

HILARY LONGSTREET, individually
and on behalf of similarly situated
individuals,

Plaintiff

-v-

GEORGE CRAMER, JR., JOE
TILLOSTON, PLANO AMIGOS LP d/b/a
Banditos Tex-Mex Cantina, PLANO
AMIGOS GP LLC, UP PLAZA AMIGOS
LLC d/b/a Banditos Tex-Mex Cantina,
KATY TRAIL ICE HOUSE GP LLC, and
KATY TRAIL ICE HOUSE LP,

Defendants.

IN THE DISTRICT COURT

95th

JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION AND REQUEST
FOR DISCLOSURE - COLLECTIVE ACTION

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

NOW COMES Hilary Longstreet, individually and on behalf of similarly situated individuals, and files this, her Plaintiff's Original Petition and Request for Disclosure - Collective Action.

I.
SUMMARY

This is a simple failure to properly pay overtime case. Defendants run a chain of restaurants in the Dallas and Plano area (Banditos Tex-Mex Cantina and Katy Trail Ice House). These restaurants, while incorporated under separate entities, share common ownership and management. Defendants employed

Plaintiff and the putative class as employees at various locations. For the past three years, Defendants have not paid their employees overtime pay as required by the Fair Labor Standards Act.

First, Defendants have improperly segregated employees' time under different job categories in order to avoid paying overtime wages. The Defendants have their employees clock-in under different job categories (i.e., day bartender, bartender, trainer, server, hostess). The Defendants would then only pay one-and-one half an employee's regular rate when an employee worked over forty hours in a workweek in a single job code. When an employee's hours under multiple job codes exceeded forty hours in a single workweek, the Defendants would not pay the employee one-and-one half times that employee's regular hourly rate.

Second, the Defendants have improperly aggregated multiple workweeks in order to avoid paying overtime wages during one workweek. The Defendants pay employees every other week for a two-week period. The Defendants routinely aggregate this two-week period into a single 80-hour workweek instead of two, separate 40-hour workweeks. This allows the Defendant to not pay an employee's overtime wages for a workweek when that employee works less than forty hours in the other workweek. However, an employer is not allowed to aggregate workweeks in this manner.

Both of these actions constitute clear violations of the Fair Labor Standards Act, and are easily proven through employee paycheck stubs and clock in/out records. For these reasons, Plaintiff seeks, on behalf of herself and those similarly

situated, unpaid wages, liquidated damages, attorney fees, and all other relief permitted.

II. JURISDICTION AND VENUE

1. This Court has original jurisdiction to hear this complaint because actions brought under the Federal Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* ("FLSA") may be maintained in State court. Venue is proper because a substantial part of the events or omissions giving rise to the claim occurred in Dallas County, and Defendants are subject to personal jurisdiction in Texas.

III. PARTIES

2. Defendant George Cramer, Jr. is an individual. Mr. Cramer is an owner/operator of both Banditos locations and the Katy Trail Ice House. Mr. Cramer is actively involved in the restaurants' operations and holds managerial responsibilities and substantial control of the terms and conditions of employees' work at these three locations. Mr. Cramer constitutes an "employer" within the meaning of 29 U.S.C. § 203(d), and a "person" under 29 U.S.C. § 203(d).

3. Defendant Joe Tilloston is an individual. Mr. Tilloston is an owner/operator of both Banditos locations and the Katy Trail Ice House. Mr. Tilloston is actively involved in the restaurants' operations and holds managerial responsibilities and substantial control of the terms and conditions of employees' work at these three locations. Mr. Tilloston constitutes an "employer" within the meaning of 29 U.S.C. § 203(d), and a "person" under 29 U.S.C. § 203(d).

4. Defendant Plano Amigos LP is a Limited Partnership. Plano Amigos LP is an "employer" within the meaning of FLSA, 29 U.S.C. § 203(d), an "enterprise" within the meaning of FLSA, 29 U.S.C. § 203(r), and "engaged in commerce" within the meaning of FLSA, 29 U.S.C. § 203(s)(1).

5. Defendant Plano Amigos GP LLC is a Limited Liability Company and the General Partner in Plano Amigos LP. Plano Amigos GP LLC is an "employer" within the meaning of FLSA, 29 U.S.C. § 203(d), an "enterprise" within the meaning of FLSA, 29 U.S.C. § 203(r), and "engaged in commerce" within the meaning of FLSA, 29 U.S.C. § 203(s)(1).

6. Defendant UP Plaza Amigos, LLC is a Limited Liability Company. UP Plaza Amigos, LLC is an "employer" within the meaning of FLSA, 29 U.S.C. § 203(d), an "enterprise" within the meaning of FLSA, 29 U.S.C. § 203(r), and "engaged in commerce" within the meaning of FLSA, 29 U.S.C. § 203(s)(1).

7. Defendant Katy Trail Ice House LP is a Limited Partnership. Katy Trail Ice House LP is an "employer" within the meaning of FLSA, 29 U.S.C. § 203(d), an "enterprise" within the meaning of FLSA, 29 U.S.C. § 203(r), and "engaged in commerce" within the meaning of FLSA, 29 U.S.C. § 203(s)(1).

8. Defendant Katy Trail Ice House GP, LLC is a Limited Liability Company and the General Partner in Katy Trail Ice House LP. Katy Trail Ice House GP, LLC is an "employer" within the meaning of FLSA, 29 U.S.C. § 203(d), an "enterprise" within the meaning of FLSA, 29 U.S.C. § 203(r), and "engaged in commerce" within the meaning of FLSA, 29 U.S.C. § 203(s)(1).

9. Plaintiff, Hilary Longstreet, is a resident of Texas and works at the Plano location of Banditos Tex-Mex Cantina based out of Colin County, Texas. Ms. Longstreet has been "engaged in commerce" as required by the FLSA, 29 U.S.C. §§ 206-07. Ms. Longstreet's consent form is attached as part of Exhibit A.

10. Plaintiff brings this action on behalf of herself and other similarly situated employees pursuant to 29 U.S.C. § 216(b). Plaintiff and the similarly situated employees are employees of the Defendants who were: (1) paid by the hour, (2) had their payroll computed by Gary Littlefield, and (3) within the past three years worked more than forty hours in a workweek but were not paid overtime wages. The putative class has been "engaged in commerce" as required by the FLSA, 29 U.S.C. §§ 206-07.

IV. FACTUAL ALLEGATIONS

11. During the past three years, Defendants paid their employees, other than managers, an hourly rate for each hour they worked.

12. These non-manager positions are not exempt from the FLSA and should be compensated for appropriate overtime at a rate of one and one half the regular hourly rate.

13. However, Defendants did not compensate these non-manager employees for all the overtime wages they were owed.

A. Defendants have failed to pay overtime by having employees work under multiple job titles without aggregating the hours.

14. The Defendants regularly have employees clock in under different job titles.

15. For example, Ms. Longstreet has the option to clock in as: (1) Day Bar, (2) Bartender, (3) Trainer, (4) Server, and (5) Hostess.

16. Defendants treat each clock-in category as if the employee were a different employee under each category.

17. This means that the Defendant does not aggregate the hours an employee works under different job titles.

18. For example, for the workweek of August 13, 2012 through August 19, 2012, Ms. Longstreet worked 14.48 hours clocked in as a "Bartender" and 39.88 hours clocked in as a "Server".

19. For this workweek, Ms. Longstreet was not paid any overtime, despite working for a total of 54.36 hours (14.36 hours of overtime).

B. Defendants have illegally aggregated more than one workweek in order to avoid paying overtime wages to employees.

20. Defendants improperly average hours of two weeks within the same pay period to avoid paying overtime wages.

21. For example, Ms. Longstreet worked 54.23 hours during the June 18, 2012 through June 24, 2012 workweek and 39.68 hours during the June 25, 2012 through July 1, 2012 work week.

30. Instead of rectifying the violations, Mr. Littlefield told Ms. Longstreet that, "I know the law, I know how it's done."

31. All conditions precedent to the filing of this suit have been satisfied.

**V.
JURY DEMAND**

32. Plaintiff, individually and on behalf of the putative class, exercises the right to a jury.

**VI.
REQUEST FOR DISCLOSURE**

33. Defendants are requested to disclose, within 50 days of service of this request, the information and material described in Rule 194.2.

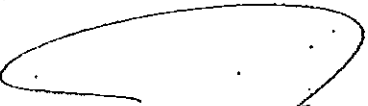
**VII.
PRAYER FOR RELIEF**

WHEREFORE, Plaintiff and all employees similarly situated who join in this action demand:

- A. Issuance of notice as soon as possible to all hourly employees who were employed by Defendants during any portion of the three years immediately preceding the filing of this action. Generally, this notice should inform them that this action has been filed, describe the nature of the action, and explain their right to opt into this lawsuit if they were not paid correctly for hours worked as hourly employees during any portion of the statutory period;

- B. Judgment against Defendants for an amount equal to Plaintiff and the class' unpaid back wages at the applicable overtime rate for each hour worked over forty;
- C. Judgment against Defendants for an amount equal to Plaintiff and the class' unpaid back wages at the applicable regular rate for each hour worked under forty;
- D. Judgment against Defendants that their violations of the FLSA were willful;
- E. An equal amount to the wage damages as liquidated damages;
- F. To the extent that liquidated damages are not awarded, an award of prejudgment interest;
- G. All costs incurred and reasonable attorney's fees for prosecuting these claims;
- H. Leave to add additional Plaintiffs by motion, the filing of written consent forms, or any other method approved by the Court;
- I. Leave to amend to add claims under applicable state laws; and
- J. For such further relief as the Court deems just and equitable.

Respectfully submitted,



Robert J. Wiley

Texas Bar No. 24018750

*Board Certified in Labor and Employment Law
by the Texas Board of Legal Specialization*

Justin G. Manchester

Texas Bar No. 24070207

ROB WILEY, P.C.

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jmanchester@robwiley.com

ATTORNEYS FOR PLAINTIFF

447D
000648

ORIGINAL

Cause No. DC-13-02636-D

HILARY LONGSTREET,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
vs.	§	DALLAS COUNTY, TEXAS
	§	
GEORGE CRAMER, JR.,	§	
	§	
Defendant.	§	95th JUDICIAL DISTRICT


**ORDER OF TRANSFER
PURSUANT TO MISCELLANEOUS ORDER NO. 1-2012**

Pursuant to Miscellaneous Order No. 1-2012, signed August 31, 2012, it is hereby

ORDERED that this case is transferred to the 134th Judicial District Court.

IT IS SO ORDERED.

Signed this 5th day of March, 2013.


KEN MOLBERG
Judge, 95th District Court

Copy to:

Co-ordinator, 134th District Court

ORDER OF TRANSFER - Solo Page

APP. 010



DALLAS COUNTY CIVIL DISTRICT COURT COVER SHEET

DC 13-02636

STYLED Hilary Longstreet

v. George Cramer, Jr., et al.

ORIGINAL

This Civil Cover Sheet must be completed, filed and served with every petition. The information should be the best available at the time of filing, understanding that the information may change before trial. This information does not constitute a discovery request, response, or supplementation, and is not admissible at trial. Check (X) all applicable boxes.

Plaintiff(s) <input type="checkbox"/> Pro Se Address _____ Telephone/Fax _____ E-mail _____ <input checked="" type="checkbox"/> Attorney for Plaintiff(s) State Bar No. 24070207 Address 1825 Market Center Blvd., Ste. 385, Dallas, TX 75207 Telephone/Fax 214-528-6500 / 214-528-6511 E-mail lmanchester@robwiley.com	Defendant(s) (list separately) George Cramer, Jr. Joe Tilloston Plano Amigos LP Plano Amigos GP LLC UP Plaza Amigos LLC Katy Trail Ice House GP LLC Katy Trail Ice House LP
--	--

PARTIES MUST CHECK ONE CASE TYPE AND MAY CHECK ONE SUB-TOPIC		
<input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Code Violations <input type="checkbox"/> Condemnation <input type="checkbox"/> Construction <input type="checkbox"/> Construction <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Defamation <input type="checkbox"/> Other Commercial Dispute <input type="checkbox"/> Antitrust/Unfair Comp <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Franchise <input type="checkbox"/> Fraud/Misrep <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Non-Competes <input type="checkbox"/> Partnership <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other Commercial <input type="checkbox"/> Discipline <input type="checkbox"/> Discovery <input type="checkbox"/> Rule 202 Depositions <input type="checkbox"/> Commissions <input type="checkbox"/> Subpoena <input type="checkbox"/> Letters Rogatory <input type="checkbox"/> Other Discovery <input type="checkbox"/> Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation	<input type="checkbox"/> Termination <input checked="" type="checkbox"/> Other Employment <input type="checkbox"/> Foreclosure <input type="checkbox"/> R 736 <input type="checkbox"/> Other than R 736 <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Insurance <input type="checkbox"/> Mass Tort/MDL/Rule 11 <input type="checkbox"/> Asbestos <input type="checkbox"/> Baycol <input type="checkbox"/> Breast Implant <input type="checkbox"/> Firestone <input type="checkbox"/> Phen-Fen <input type="checkbox"/> Silica <input type="checkbox"/> Other Multi-Party <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Other Personal Injury <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Product <input type="checkbox"/> Premises <input type="checkbox"/> Other Personal Injury <input type="checkbox"/> Name Change <input type="checkbox"/> Post-Judgment <input type="checkbox"/> Professional Liability <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Med/Mal <input type="checkbox"/> Other Prof. Liab. <input type="checkbox"/> Property	<input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass/Try Title <input type="checkbox"/> Other Property <input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Tax Land Bank <input type="checkbox"/> Tax Personal <input type="checkbox"/> Tax Real <input type="checkbox"/> Workers Comp <input type="checkbox"/> Other ADDITIONAL SUB-TOPICS <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Discovery <input checked="" type="checkbox"/> Class Action <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Severance <input type="checkbox"/> TRO/Injunction <input type="checkbox"/> Turnover

DISCOVERY LEVEL		
<input type="checkbox"/> Level 1	<input type="checkbox"/> Level 2	<input checked="" type="checkbox"/> Level 3
Local Rule 1.08 Certification (Must be completed and signed)		
This case is not subject to transfer pursuant to Local Rule 1.07, or		
This case is related to another case filed or disposed of in Dallas County:		
Court: 85th	Style: 13-02636	Case No. _____
		Attorney's Signature _____



JUDGE DALE TILLERY PRESIDING
134th Judicial District Court
600 Commerce St., 6th Floor, Room 650
Dallas, Texas 75201
214/653-6995
fly@dallascourts.org

March 06, 2013

File Copy

Re: HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al
DC-13-02636

All Counsel of Record/Pro Se Litigants:

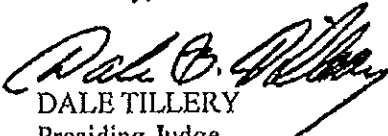
Pursuant to Rule 165A of the Texas Rules of Civil procedure, and the inherent power of the Court, the above case is set for dismissal on:

May 17, 2013 at 10:00 AM

If NO ANSWER has been filed you are expected to have moved for a default judgment on or prior to the above stated date. Failure to move for a default judgment will result in the dismissal of the case on the above date.

If you have been unable to obtain service of process and you wish to retain the case on the docket, you must appear on the above date, unless you have obtained a new setting from the court coordinator.

Sincerely,


DALE TILLERY
Presiding Judge

pc: JUSTIN G. MANCHESTER

All counsel of record and/or Pro Se litigants must be copied on all written communication to the Court.

APP. 012



JUDGE DALE TILLERY PRESIDING
134th Judicial District Court
600 Commerce St., 6th Floor, Room 650
Dallas, Texas 75202-4606
214/653-6995
fly@dallascourts.org

March 06, 2013

File Copy

Re: HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al
DC-13-02636

All Counsel of Record/Pro Se Litigants:


We have received your petition. Pursuant to Rule 47(c) of the Texas Rules of Civil Procedure, your pleading is deficient because your petition does not contain a statement that conforms with Rule 47(c) 1-5. (See: Rule 47(c) of the Texas Rules of Civil procedure, effective March 1, 2013).

Rule 47(c) specifically provides that:

"A party that fails to comply with (c) may not conduct discovery until the party's pleading is amended to comply." (see: Tex. R. Civ. Proc. 47 (d)).

Please perfect your petition so that your petition complies with Rule 47 of the Texas Rules of Civil Procedure.

Sincerely,


No Judicial Officer Assigned
Presiding Judge

pc: JUSTIN G. MANCHESTER

All counsel of record and/or Pro Se litigants must be copied on all written communication to the Court.

APP. 013

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **GEORGE CRAMER Jr**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr, JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered **DC-13-02636**, the nature of which demand is as follows: Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: **GARY FITZSIMMONS**, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: **GARY FITZSIMMONS**, Clerk of the District Courts of Dallas, County, Texas

By  Deputy
CARMEN MOORER



**ATTY
CITATION**

DC-13-02636

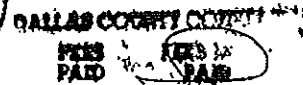
**HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al**

**ISSUED THIS
6th day of March, 2013**

**GARY FITZSIMMONS
Clerk District Courts,
Dallas County, Texas**

By: **CARMEN MOORER**, Deputy

**Attorney for Plaintiff
JUSTIN G. MANCHESTER
ROB WILEY PC
1825 MARKET CENTER BLVD
SUITE 385
DALLAS TX 75207
214-528-6500**



APP. 014

OFFICER'S RETURN

Case No. : DC-13-02636

Court No.134th District Court

Style: HILARY LONGSTREET

vs.

GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

APP. 015

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **JOE TILLOSTON**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr, JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered **DC-13-02636**, the nature of which demand is as follows: Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas

By  _____, Deputy
CARMEN MOORER



**ATTY
CITATION**

DC-13-02636

**HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al**

**ISSUED THIS
6th day of March, 2013**

**GARY FITZSIMMONS
Clerk District Courts,
Dallas County, Texas**

By: **CARMEN MOORER, Deputy**

**Attorney for Plaintiff
JUSTIN G. MANCHESTER
ROB WILEY PC
1825 MARKET CENTER BLVD
SUITE 385
DALLAS TX 75207
214-528-6500**

DALLAS COUNTY CLERK'S OFFICE
FILED **FILED**
PAYED **PAYED**

APP. 016

Case 3:13-cv-01461-G Document 1-10 Filed 04/12/13 Page 2 of 2 PageID 28

OFFICER'S RETURN

Case No. : DC-13-02636
Court No. 134th District Court
Style: HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

APP. 017

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **PLANO AMIGOS LP
D/B/A BANDITOS TEX MEX CANTINA**

GRBTINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr, JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered **DC-13-02636**, the nature of which demand is as follows: Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas. Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas

By  Deputy
CARMEN MOORER



ATTY
CITATION
DC-13-02636
HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al
ISSUED THIS 6th day of March, 2013
GARY FITZSIMMONS Clerk District Courts, Dallas County, Texas
By: CARMEN MOORER, Deputy
Attorney for Plaintiff JUSTIN G. MANCHESTER ROB WILEY PC 1825 MARKET CENTER BLVD SUITE 385 DALLAS TX 75207 214-528-6500

DALLAS COUNTY COURT CLERK
YES PAID **YES NOT PAID**

APP. 018

Case 3:13-cv-01461-G Document 1-11 Filed 04/12/13 Page 2 of 2 PageID 30

OFFICER'S RETURN

Case No. : DC-13-02636
Court No. 134th District Court
Style: HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

APP. 019

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **PLANO AMIGOS GP LLC**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr, JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered **DC-13-02636**, the nature of which demand is as follows: Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas. Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County

By , Deputy
CARMEN MOORER



**ATTY
CITATION**

DC-13-02636

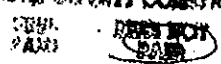
**HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al**

**ISSUED THIS
6th day of March, 2013**

**GARY FITZSIMMONS
Clerk District Courts,
Dallas County, Texas**

By: **CARMEN MOORER, Deputy**

**Attorney for Plaintiff
JUSTIN G. MANCHESTER
ROB WILBY PC
1825 MARKET CENTER BLVD
SUITE 385
DALLAS TX 75207
214-528-6500**

DALLAS COUNTY CLERK


APP. 020

Case 3:13-cv-01461-G Document 1-12 Filed 04/12/13 Page 2 of 2 PageID 32

OFFICER'S RETURN

Case No. : DC-13-02616

Court No. 134th District Court

Style: HILARY LONGSTREET

vs.

GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

APP. 021

Case 3:13-cv-01461-G Document 1-13 Filed 04/12/13 Page 1 of 2 PageID 33

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **UP PLAZA AMIGOS LLC
D/B/A BANDITOS TEX MEX CANTINA**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr., JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered **DC-13-02636**, the nature of which demand is as follows: Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: **GARY FITZSIMMONS**, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: **GARY FITZSIMMONS**, Clerk of the District Courts of Dallas, County Texas.

By , Deputy
CARMEN MOORBER



**ATTY
CITATION**

DC-13-02636

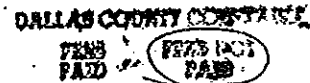
**HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al**

**ISSUED THIS
6th day of March, 2013**

**GARY FITZSIMMONS
Clerk District Courts,
Dallas County, Texas**

By: **CARMEN MOORBER**, Deputy

**Attorney for Plaintiff
JUSTIN G. MANCHESTER
ROB WILEY PC
1825 MARKET CENTER BLVD
SUITE 385
DALLAS TX 75207
214-528-6500**



APP. 022

Case 3:13-cv-01461-G Document 1-13 Filed 04/12/13 Page 2 of 2 PageID 34

OFFICER'S RETURN

Case No. : DC-13-02636
Court No. 134th District Court
Style: HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

APP. 023

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **KATY TRAIL ICE HOUSE GP LLC**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr., JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered **DC-13-02636**, the nature of which demand is as follows:
Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: **GARY FITZSIMMONS**, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: **GARY FITZSIMMONS**, Clerk of the District Courts of Dallas, County, Texas

By:  Deputy
CARMEN MOORER



**ATTY
CITATION**

DC-13-02636

**HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al**

**ISSUED THIS
6th day of March, 2013**

**GARY FITZSIMMONS
Clerk District Courts,
Dallas County, Texas**

By: **CARMEN MOORER**, Deputy

**Attorney for Plaintiff
JUSTIN G. MANCHESTER
ROB WILEY PC
1825 MARKET CENTER BLVD
SUITE 385
DALLAS TX 75207
214-528-6500**

DALLAS COUNTY COURT
FILED
PAID

APP. 024

Case 3:13-cv-01461-G Document 1-14 Filed 04/12/13 Page 2 of 2 PageID 36

OFFICER'S RETURN

Case No. : DC-13-02636

Court No. 134th District Court

Style: HILARY LONGSTREET

vs.

GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

APP. 025

Case 3:13-cv-01461-G Document 1-15 Filed 04/12/13 Page 1 of 2 PageID 37

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **KATY TRAIL ICE HOUSE LP**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr, JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered **DC-13-02636**, the nature of which demand is as follows: Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas. Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County

By  Deputy
CARMEN MOORBER



ATTY
CITATION
DC-13-02636
HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al
ISSUED THIS 6th day of March, 2013
GARY FITZSIMMONS Clerk District Courts, Dallas County, Texas
By: CARMEN MOORBER, Deputy
Attorney for Plaintiff JUSTIN G. MANCHESTER ROB WILEY PC 1825 MARKET CENTER BLVD SUITE 385 DALLAS TX 75207 214-528-6500

DALLAS COUNTY COURT
FILED
PAID

APP. 026

Case 3:13-cv-01461-G Document 1-15 Filed 04/12/13 Page 2 of 2 PageID 38

OFFICER'S RETURN

Case No. : DC-13-02636
Court No. 134th District Court
Style: HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20_____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

APP. 027

ATTY	
CITATION	
DC-13-02636	
HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al	ISSUED THIS 6th day of March, 2013
GARY FITZSIMMONS Clerk District Courts, Dallas County, Texas	By: CARMEN MOORER, Deputy
Attorney for Plaintiff JUSTIN G. MANCHESTER ROB WILEY PC SUITE 385 DALLAS TX 75207 214-528-6500	

FILED

13 MAR 25 PM 1:01

GARY FITZSIMMONS
CLERK
DALLAS COUNTY, TEXAS

DEPUTY

To: GEORGE CRAMER JR

GREETINGS:

You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

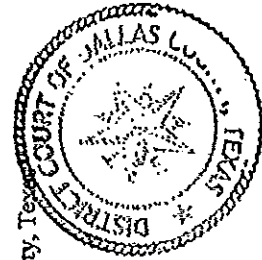
GEORGE CRAMER, Jr, JOE TILLOSTON, PLANO AMIGOS LP D/E/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/E/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered **DC-13-02636**, the nature of which demand is as follows:
Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**,
a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County, Texas

By CARMEN MOORER, Deputy



APP. 028

OFFICER'S RETURN

Case No. : DC-13-02636

Court No.134th District Court

Style: HILARY LONGSTREET

vs.

GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

APP. 029

CAUSE NO. DC-13-02636
DALLAS COUNTY 134TH JUDICIAL DISTRICT COURT

RETURN

Came to my hand: March 8, 2013 at 2:00 p.m.

To: George Cramer Jr.

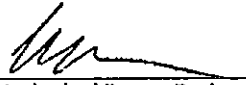
☒ Citation
☒ Plaintiff's Original Petition and Request for Disclosure

Delivered by me on: March 21, 2013 at 2:20 p.m.

Delivered by me at: 2100 Ross Ave., Suite 2700, Dallas, TX 75205, in Dallas County, by delivering to George Cramer Jr., by delivering to his attorney, Alan Dabdoub, by delivering to his designated agent and legal assistant, Ms. Byrd, in person, a true copy of the above specified civil process, having first endorsed on such copy the date of delivery. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. This return is attached to original process or a copy thereof. All statements and facts herein contained are within my personal knowledge.

"My name is Alan R. Davis. My date of birth is 8/25/62. My address is P.O. Box 38066, Dallas, Texas, 75238, United States of America. I declare under penalty of perjury the foregoing is true and correct. Executed in Dallas County, Texas on March 24, 2013.

FILED
13 MAR 25 PM 1:01
GARY ELLIOTT
CLERK
DALLAS COUNTY, TEXAS
DEPUTY


Alan R. Davis, Authorized Person, Declarant"
SCH-000000399
Expires 7/31/14

APP. 030

3-20-13
 3-20-13
 5:41 PM

FILED

**FORM NO. 353-3 - CITATION
 THE STATE OF TEXAS**

13 MAR 25 PM 1:01

GARY FITZSIMMONS
 DISTRICT CLERK
 DALLAS COUNTY, TEXAS

To: **JOE TILLOSTON**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

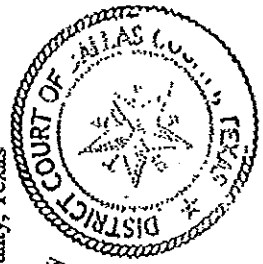
GEORGE CRAMER, Jr., JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered DC-13-02636, the nature of which demand is as follows:
 Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.
 Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County, Texas

By CARMEN MOORER, Deputy



3-20-13
 3:20 PM
 5:41 PM

APP. 031

ATTY	
CITATION	
DC-13-02636	
HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al	ISSUED THIS 6th day of March, 2013
GARY FITZSIMMONS Clerk District Courts, Dallas County, Texas	By: CARMEN MOORER, Deputy
Attorney for Plaintiff JUSTIN G. MANCHESTER ROB WILEY PC SUITE 385 1825 MARKET CENTER BLVD DALLAS TX 75207 214-528-6500	



OFFICER'S RETURN

Case No. : DC-13-02636
Court No. 134th District Court
Style: HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____	_____	_____
For mileage	\$ _____	_____	of _____	County, _____
For Notary	\$ _____	_____	By _____	Deputy _____

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

CAUSE NO. DC-13-02636
DALLAS COUNTY 134TH JUDICIAL DISTRICT COURT

RETURN

Came to my hand: March 8, 2013 at 2:00 p.m.

To: Joe Tilloston

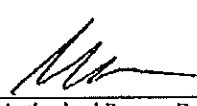
☒ Citation
☒ Plaintiff's Original Petition and Request for Disclosure

Delivered by me on: March 21, 2013 at 2:20 p.m.

Delivered by me at: 2100 Ross Ave., Suite 2700, Dallas, TX 75205, in Dallas County, by delivering to Joe Tilloston, by delivering to his attorney, Alan Dabdoub, by delivering to his designated agent and legal assistant, Ms. Byrd, in person, a true copy of the above specified civil process, having first endorsed on such copy the date of delivery. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. This return is attached to original process or a copy thereof. All statements and facts herein contained are within my personal knowledge.

"My name is Alan R. Davis. My date of birth is 8/25/62. My address is P.O. Box 38066, Dallas, Texas, 75238, United States of America. I declare under penalty of perjury the foregoing is true and correct. Executed in Dallas County, Texas on March 24, 2013.

FILED
13 MAR 25 PM 1:01
GARY FITZSIMMONS
CLERK
DALLAS COUNTY, TEXAS
DEPUTY


Alan R. Davis, Authorized Person, Declarant"
SCH-000000399
Expires 7/31/14

APP. 033

ATTY	
CITATION	
DC-13-02636	
HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al	ISSUED THIS 6th day of March, 2013
GARY FITZSIMMONS Clerk District Courts, Dallas County, Texas	By: CARMEN MOORER, Deputy
Attorney for Plaintiff JUSTIN G. MANCHESTER ROB WILEY PC SUITE 385 DALLAS TX 75207 214-528-6500	

FILED

13 MAR 25 PM 1:01

GARY FITZSIMMONS
DISTRICT CLERK
DALLAS COUNTY, TEXAS

To: PLANO AMIGOS LP
D/B/A BANDITOS TEX MEX CANTINA

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr., JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered DC-13-02636, the nature of which demand is as follows:
Suit on **OTHER (CIVIL)** etc. as shown on said petition **REQ FOR DISCLOSURE**,
a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County, Texas
By: CARMEN MOORER, Deputy

OFF-
3-2-13

APP. 034

OFFICER'S RETURN

Case No.: DC-13-02636

Court No.134th District Court

Style: HILARY LONGSTREET

vs.

GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$ _____
For mileage \$ _____ of _____ County, _____
For Notary \$ _____ By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

APP. 035

CAUSE NO. DC-13-02636
DALLAS COUNTY 134TH JUDICIAL DISTRICT COURT

RETURN

Came to my hand: March 8, 2013 at 2:00 p.m.

To: Plano Amigos LP d/b/a Banditos Tex Mex Cantina

☒ Citation
☒ Plaintiff's Original Petition and Request for Disclosure

Delivered by me on: March 21, 2013 at 2:20 p.m.

Delivered by me at: 2100 Ross Ave., Suite 2700, Dallas, TX 75205, in Dallas County, by delivering to Plano Amigos LP d/b/a Banditos Tex Mex Cantina, by delivering to its attorney, Alan Dabdoub, by delivering to his designated agent and legal assistant, Ms. Byrd, in person, a true copy of the above specified civil process, having first endorsed on such copy the date of delivery. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. This return is attached to original process or a copy thereof. All statements and facts herein contained are within my personal knowledge.

"My name is Alan R. Davis. My date of birth is 8/25/62. My address is P.O. Box 38066, Dallas, Texas, 75238, United States of America. I declare under penalty of perjury the foregoing is true and correct. Executed in Dallas County, Texas on March 24, 2013.



Alan R. Davis, Authorized Person, Declarant"
SCH-000000399
Expires 7/31/14

FILED
13 MAR 25 PM 1:01
GARY PATTERSON
CLERK
DALLAS COUNTY
DEPUTY

<u>ATTY</u> CITATION DC-13-02636
HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al
ISSUED THIS 6th day of March, 2013
GARY FITZSIMMONS Clerk District Courts, Dallas County, Texas
By: CARMEN MOORER, Deputy
Attorney for Plaintiff JUSTIN G. MANCHESTER ROB WILEY PC 1825 MARKET CENTER BLVD SUITE 385 DALLAS TX 75207 214-528-6500

FILED

13 MAR 25 PM 1:01

GARY FITZSIMMONS
CLERK
DISTRICT COURTS
DALLAS COUNTY, TEXAS

DEPUTY

To: PLANO AMIGOS GP LLC

GREETINGS:

You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS

Filed in said Court 5th day of March, 2013 against

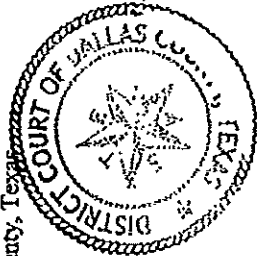
GEORGE CRAMER, Jr., JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered DC-13-02636, the nature of which demand is as follows: Suit on OTHER (CIVIL) etc. as shown on said petition REQ FOR DISCLOSURE, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas. Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County, Texas

By CARMEN MOORER, Deputy



APP. 037

OFFICER'S RETURN

Case No. : DC-13-02636
Court No. 134th District Court
Style: HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____ by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually travelled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____	_____	_____
For mileage	\$ _____	_____	of _____	County, _____
For Notary	\$ _____	_____	By _____	Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____.
to certify which witness my hand and seal of office.

Notary Public _____ County _____

CAUSE NO. DC-13-02636
DALLAS COUNTY 134TH JUDICIAL DISTRICT COURT

RETURN

Came to my hand: March 8, 2013 at 2:00 p.m.

To: Plano Amigos GP, LLC

☒ Citation
☒ Plaintiff's Original Petition and Request for Disclosure

Delivered by me on: March 21, 2013 at 2:20 p.m.

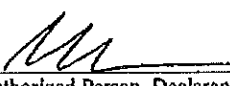
Delivered by me at: 2100 Ross Ave., Suite 2700, Dallas, TX 75205, in Dallas County, by delivering to Plano Amigos GP, LLC, by delivering to its attorney, Alan Dabdoub, by delivering to his designated agent and legal assistant, Ms. Byrd, in person, a true copy of the above specified civil process, having first endorsed on such copy the date of delivery. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. This return is attached to original process or a copy thereof. All statements and facts herein contained are within my personal knowledge.

"My name is Alan R. Davis. My date of birth is 8/25/62. My address is P.O. Box 38066, Dallas, Texas, 75238, United States of America. I declare under penalty of perjury the foregoing is true and correct. Executed in Dallas County, Texas on March 24, 2013.

FILED

13 MAR 25 PM 1:01

GARY T. SIMMONS
DISTRICT CLERK
DALLAS COUNTY, TEXAS



Alan R. Davis, Authorized Person, Declarant"
SCH-000000399
Expires 7/31/14

APP. 039

FILED

13 MAR 25 PM 1:01

FORM NO. 353-3 - CITATION
THE STATE OF TEXAS

To:

UP PLAZA AMIGOS LLC
D/B/A BANDITOS TEX MEX CANTINAGARY FITZSIMMONS
DISTRICT CLERK
DALLAS COUNTY, TEXAS

DEPUTY

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS

Filed in said Court 5th day of March, 2013 against

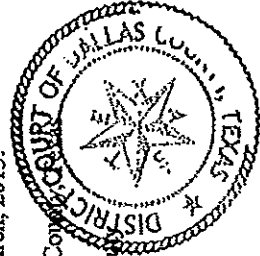
GEORGE CRAMER, Jr., JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered DC-13-02636, the nature of which demand is as follows:
Suit on OTHER (CIVIL) etc. as shown on said petition **REQ FOR DISCLOSURE**,
a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.

By Carmen Moor, Deputy
CARMEN MOORER



<p>ATTY</p> <p>CITATION</p> <p>DC-13-02636</p>	<p>HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al</p> <p>ISSUED THIS 6th day of March, 2013</p> <p>GARY FITZSIMMONS Clerk District Courts, Dallas County, Texas</p> <p>By: CARMEN MOORER, Deputy</p> <p>Attorney for Plaintiff JUSTIN G. MANCHESTER ROB WILEY PC 1825 MARKET CENTER BLVD SUITE 385 DALLAS TX 75207 214-528-6500</p>
--	--

DALLAS COUNTY CLERK
GARY FITZSIMMONS
DISTRICT CLERK
DALLAS COUNTY, TEXAS

APP. 040

OFFICER'S RETURN

Case No. : DC-13-02636

Court No. 134th District Court

Style: HILARY LONGSTREET

vs.

GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
 within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
 20____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
 me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____	_____
For mileage	\$ _____	_____	_____ of _____ County, _____
For Notary	\$ _____	By _____	_____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____
 to certify which witness my hand and seal of office.

 Notary Public _____ County _____

CAUSE NO. DC-13-02636
DALLAS COUNTY 134TH JUDICIAL DISTRICT COURT

RETURN

Came to my hand: March 8, 2013 at 2:00 p.m.

To: UP Plaza Amigos LLC d/b/a Banditos Tex Mex Cantina

☒ Citation
☒ Plaintiff's Original Petition and Request for Disclosure

Delivered by me on: March 21, 2013 at 2:20 p.m.

Delivered by me at: 2100 Ross Ave., Suite 2700, Dallas, TX 75205, in Dallas County, by delivering to UP Plaza Amigos LLC d/b/a Banditos Tex Mex Cantina, by delivering to its attorney, Alan Dabdoub, by delivering to his designated agent and legal assistant, Ms. Byrd, in person, a true copy of the above specified civil process, having first endorsed on such copy the date of delivery. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. This return is attached to original process or a copy thereof. All statements and facts herein contained are within my personal knowledge.

"My name is Alan R. Davis. My date of birth is 8/25/62. My address is P.O. Box 38066, Dallas, Texas, 75238, United States of America. I declare under penalty of perjury the foregoing is true and correct. Executed in Dallas County, Texas on March 24, 2013.

FILED

13 MAR 25 PM 1:01

GARY E. SIMMONS

CLERK

DALLAS COUNTY, TEXAS

DEPUTY



Alan R. Davis, Authorized Person, Declarant"
SCH-000000399
Expires 7/31/14

APP. 042

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To: **KATY TRAIL ICE HOUSE GP LLC**

FILED

13 MAR 25 PM 1:01

GARY FITZSIMMONS
CLERK
DALLAS CO. TEXAS
DEPUTY

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

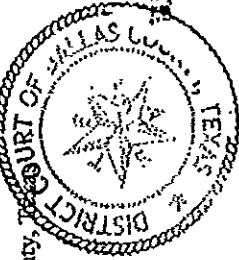
Said Plaintiff being **HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS**

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr., JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered DC-13-02636, the nature of which demand is as follows:
Suit on **OTHER (CIVIL)** etc. as shown on said petition REQ FOR DISCLOSURE,
a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of March, 2013.



ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County, Texas
By: CARMEN MOORER, Deputy

APP. 043

<p align="center"><u>ATTY</u></p> <p align="center">CITATION</p> <p align="center">DC-13-02636</p>	
<p>HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al</p>	<p>ISSUED THIS 6th day of March, 2013</p> <p>GARY FITZSIMMONS Clerk District Courts, Dallas County, Texas</p> <p>By: CARMEN MOORER, Deputy</p>
<p>Attorney for Plaintiff JUSTIN G. MANCHESTER ROB WILEY PC SUITE 385 1825 MARKET CENTER BLVD DALLAS TX 75207 214-528-6500</p>	

DALLAS COUNTY CLERK
YES
FEE
PAID

OFFICER'S RETURN

Case No. : DC-13-02656

Court No.134th District Court

Style: HILARY LONGSTREET

vs.

GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
 within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
 20____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
 me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____	_____
For mileage	\$ _____	of _____	County, _____
For Notary	\$ _____	By _____	Deputy _____

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
 to certify which witness my hand and seal of office.

 Notary Public _____ County _____

CAUSE NO. DC-13-02636
DALLAS COUNTY 134TH JUDICIAL DISTRICT COURT

RETURN

Came to my hand: March 8, 2013 at 2:00 p.m.

To: Katy Trail Ice House GP LLC

☒ Citation
☒ Plaintiff's Original Petition and Request for Disclosure

Delivered by me on: March 21, 2013 at 2:20 p.m.

Delivered by me at: 2100 Ross Ave., Suite 2700, Dallas, TX 75205, in Dallas County, by delivering to Katy Trail Ice House GP LLC, by delivering to its attorney, Alan Dabdoub, by delivering to his designated agent and legal assistant, Ms. Byrd, in person, a true copy of the above specified civil process, having first endorsed on such copy the date of delivery. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. This return is attached to original process or a copy thereof. All statements and facts herein contained are within my personal knowledge.

"My name is Alan R. Davis. My date of birth is 8/25/62. My address is P.O. Box 38066, Dallas, Texas, 75238, United States of America. I declare under penalty of perjury the foregoing is true and correct. Executed in Dallas County, Texas on March 24, 2013.

FILED

13 MAR 25 PM 1:01

GARY W. SHIMMONS

DEPUTY CLERK

DALLAS COUNTY, TEXAS

DEPUTY



Alan R. Davis, Authorized Person, Declarant"
SCH-000000399
Expires 7/31/14

FILED
13 MAR 25 PM 1:01
GARY FITZSIMMONS
DISTRICT CLERK
DALLAS COUNTY, TEXAS

FORM NO. 353-3 - CITATION
THE STATE OF TEXAS

To: KATY TRAIL ICE HOUSE LP

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.


Said Plaintiff being HILARY LONGSTREET INDIVIDUALLY AND ON BEHALF OF SIMILARY SITUATED INDIVIDUALS

Filed in said Court 5th day of March, 2013 against

GEORGE CRAMER, Jr., JOE TILLOSTON, PLANO AMIGOS LP D/B/A BANDITOS TEX
MEX CANTINA, PLANO AMIGOS GP LLC, UP PLAZA AMIGOS LLC D/B/A BANDITOS TEX
MEX CANTINA, KATY TRAIL ICE HOUSE GP LLC AND KATY TRAIL ICE HOUSE LP

For Suit, said suit being numbered DC-13-02636, the nature of which demand is as follows:
Suit on OTHER (CIVIL) etc. as shown on said petition REQ FOR DISCLOSURE,
a copy of which accompanies this citation. If this citation is not served, it shall be returned
unexecuted.

WITNESS: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 6th day of March, 2013.

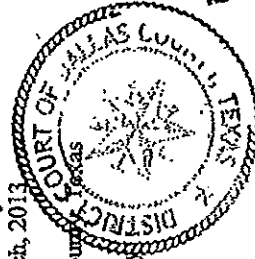
ATTEST: GARY FITZSIMMONS, Clerk of the District Courts of Dallas, County Texas.
By:  Deputy
CARMEN MOORER

APP. 046

ATTY
CITATION
DC-13-02636
HILARY LONGSTREET vs. GEORGE CRAMER, Jr., et al
ISSUED THIS 6th day of March, 2013
GARY FITZSIMMONS Clerk District Courts, Dallas County, Texas
By: CARMEN MOORER, Deputy
Attorney for Plaintiff JUSTIN G. MANCHESTER ROB WILEY PC 1825 MARKET CENTER BLVD SUITE 385 DALLAS TX 75207 214-528-6500

DALLAS COUNTY CLERK

FEES
PAID
FILED
PAID



APR 25 2013

OFFICER'S RETURN

Case No. : DC-13-02636
Court No.134th District Court
Style: HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____	_____
For mileage	\$ _____	of _____	County, _____
For Notary	\$ _____	By _____	Deputy _____

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public _____ County _____

CAUSE NO. DC-13-02636
DALLAS COUNTY 134TH JUDICIAL DISTRICT COURT

RETURN

Came to my hand: March 8, 2013 at 2:00 p.m.

To: Katy Trail Ice House LP

☒ Citation
☒ Plaintiff's Original Petition and Request for Disclosure

Delivered by me on: March 21, 2013 at 2:20 p.m.

Delivered by me at: 2100 Ross Ave., Suite 2700, Dallas, TX 75205, in Dallas County, by delivering to Katy Trail Ice House LP, by delivering to its attorney, Alan Dabdoub, by delivering to his designated agent and legal assistant, Ms. Byrd, in person, a true copy of the above specified civil process, having first endorsed on such copy the date of delivery. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. This return is attached to original process or a copy thereof. All statements and facts herein contained are within my personal knowledge.

"My name is Alan R. Davis. My date of birth is 8/25/62. My address is P.O. Box 38066, Dallas, Texas, 75238, United States of America. I declare under penalty of perjury the foregoing is true and correct. Executed in Dallas County, Texas on March 24, 2013.

FILED

13 MAR 25 PM 1:01

GARY FITZSIMMONS
DISTRICT CLERK
DALLAS COUNTY, TEXAS

DEPUTY

Alan R. Davis, Authorized Person, Declarant"
SCH-000000399
Expires 7/31/14

APP. 048

GARY FITZSIMMONS, DISTRICT CLERK

CASE SUMMARY

CASE NO. DC-13-02636

HILARY LONGSTREET
vs.
GEORGE CRAMER, Jr., et al

§
§
§
§

Location: 134th District Court
Judicial Officer: TILLERY, DALE
Filed on: 03/05/2013

CASE INFORMATION

Case Type: OTHER (CIVIL)
Subtype: CLASS ACTION

PARTY INFORMATION

PLAINTIFF LONGSTREET, HILARY

Lead Attorneys
MANCHESTER, JUSTIN G.
Retained
214-528-6500(W)

DEFENDANT CRAMER, GEORGE, Jr.
KATY TRAIL ICE HOUSE GP LLC
KATY TRAIL ICE HOUSE LP
PLANO AMIGOS GP LLC
PLANO AMIGOS LP
D/B/A BANDITOS TEX MEX CANTINA
TILLOSTON, JOE
UP PLAZA AMIGOS LLC
D/B/A BANDITOS TEX MEX CANTINA

DATE	EVENTS & ORDERS OF THE COURT	INDEX
03/05/2013	ORIGINAL PETITION (OCA)	
03/05/2013	ISSUE CITATION	
03/05/2013	NOTE - ADMINISTRATOR to Clerk: Order of Transfer Pursuant to Miscellaneous Order No. 1-2012 - signed 3/5/2013 - copy mailed to counsel for plaintiff. Copy delivered to Fran Ly, co-ordinator, 134th court.	
03/05/2013	ORDER - TRANSFER FROM 95TH TO 134TH	Vol./Book 447D, Page 648, 1 pages
03/05/2013	CASE FILING COVER SHEET	
03/06/2013	NOTE - CLERKS EMAILED ADMIN AND CLERK RE: TRANSFER ORDER	
03/06/2013	CITATION CRAMER, GEORGE, Jr. Served: 03/21/2013 TILLOSTON, JOE Served: 03/21/2013 PLANO AMIGOS LP Served: 03/21/2013 PLANO AMIGOS GP LLC Served: 03/21/2013 UP PLAZA AMIGOS LLC Served: 03/21/2013	

PAGE 1 OF 2

Printed on 04/12/2013 at 2:06 PM

APP. 049

GARY FITZSIMMONS, DISTRICT CLERK

CASE SUMMARY

CASE No. DC-13-02636

	KATY TRAIL ICE HOUSE GP LLC Served: 03/21/2013 KATY TRAIL ICE HOUSE LP Served: 03/21/2013 ATTY/CM		
03/06/2013	CORRESPONDENCE - LETTER TO FILE Rule 47		
03/06/2013	NOTICE OF DISMISSAL FOR WANT OF PROSECUTION		
05/17/2013	DISMISSAL FOR WANT OF PROSECUTION (10:00 AM) (Judicial Officer: TILLBRY, DALE)		
DATE	FINANCIAL INFORMATION		
	PLAINTIFF LONGSTREET, HILARY		
	Total Charges		308.00
	Total Payments and Credits		308.00
	Balance Due as of 4/12/2013		0.00
03/05/2013	Charge	PLAINTIFF LONGSTREET, HILARY	252.00
03/05/2013	Charge	PLAINTIFF LONGSTREET, HILARY	56.00
03/05/2013	PAYMENT (CASE FEES)	Receipt # 12987-2013-DCLK PLAINTIFF LONGSTREET, HILARY	(308.00)

STATE OF TEXAS }
COUNTY OF DALLAS }

I, GARY FITZSIMMONS, Clerk of the District of Dallas County, Texas, do hereby certify that I have compared this instrument to be a true and correct copy of the original as appears of record in my office.

GIVEN UNDER MY HAND AND SEAL of said Court, at office in Dallas, Texas, this 12th day of April, A.D., 2013.

GARY FITZSIMMONS, DISTRICT CLERK
DALLAS COUNTY, TEXAS

By Car. Rodriguez Deputy

APP. 051

Xerox D110 Copier-Printer
Banner Sheet sbyrd

Date & Time : 04/12/2013 6:57 PM

User Name :

sbyrd

Job Name : [DOC 2] Certificate of Interested Persons - 4.12.13.pdf

Start Page

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

HILARY LONGSTREET, individually and on behalf of similarly situated individuals,

Plaintiff,

Y.

GEORGE CRAMER, JR., JOE TILLOTSON,
PLANO AMIGOS LP d/b/a Banditos Tex-
Mex Cantina, PLANO AMIGOS GP LLC, UP
PLAZA AMIGOS LLC d/b/a Banditos Tex-
Mex Cantina, KATY TRAIL ICE HOUSE GP
LLC, and KATY TRAIL ICE HOUSE LP,

Defendants.

CIVIL ACTION NO.

DEFENDANTS' CERTIFICATE OF INTERESTED PERSONS

Pursuant to Local Rules 3.2 and 7.4, Defendants George Cramer, Jr., Joe Tillotson, Plano Amigos, LP d/b/a Banditos Tex-Mex Cantina, Plano Amigos GP, LLC, Up Plaza Amigos, LLC d/b/a Banditos Tex-Mex Cantina, Katy Trail Ice House GP, LLC and Katy Trail Ice House, LP identify the following entities that are financially interested in the outcome of the case:

1. George Cramer, Jr.;
2. Joe Tillotson;
3. Plano Amigos LP d/b/a Banditos Tex-Mex Cantina;
4. Plano Amigos GP, LLC;
5. UP Plaza Amigos LLC, d/b/a Banditos Tex-Mex Cantina;
6. Katy Trail Ice House GP LLC;
7. Katy Trail Ice House LP;
8. No corporate defendant in this matter has a parent corporation or has stock owned by a publicly held corporation;

9. Lynn Tillotson Pinker & Cox, LLP, counsel for Defendants George Cramer, Jr., Joe Tillotson, Plano Amigos, LP d/b/a Banditos Tex-Mex Cantina, Plano Amigos GP, LLC, Up Plaza Amigos, LLC d/b/a Banditos Tex-Mex Cantina, Katy Trail Ice House GP,, LLC and Katy Trail Ice House, LP

Dated: April 12, 2013

Respectfully submitted,

/s/ Alan Dabdoub

Jeffrey M. Tillotson, PC

State Bar No. 20039200

jtillotson@lynnllp.com

Alan Dabdoub

State Bar No. 24056836

Email: adabdoub@lynnllp.com

LaKeisha M. Forté

State Bar No. 24042237

Email: lforte@lynnllp.com

LYNN TILLOTSON PINKER & COX, LLP

2100 Ross Avenue, Suite 2700

Dallas, Texas 75201

(214) 981-3800 - telephone

(214) 981-3839 – telecopier

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of this *Defendants' Certificate of Interested Persons* was duly served upon Robert J. Wiley, Esq. and Justin G. Manchester, ROB WILEY, P.C., 1825 Market Center Blvd., Suite 385, Dallas, Texas 75207 via certified United States Mail, return receipt requested, this 12th day of April, 2013.

/s/ Alan Dabdoub

ALAN DABDOUB